

HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ANIMAL LEGAL DEFENSE FUND,	)	No. 3:18-cv-006025-RSL
	)	
Plaintiff,	)	
v.	)	DECLARATION OF DANIEL WALTZ
	)	IN SUPPORT OF PARTIAL MOTION
OLYMPIC GAME FARM, INC. ROBERT	)	FOR SUMMARY JUDGMENT
BEEBE, JAMES BEEBE, and KENNETH	)	
BEEBE,	)	
	)	
Defendants.	)	
	)	

1 I, Daniel Waltz, declare the following to which I am competent to testify under penalty of  
2 perjury of the laws of the United States:

3  
4 1. I am co-counsel of record for Plaintiff Animal Legal Defense Fund (“ALDF”) in  
5 this case.

6 2. The U.S. Department of Agriculture (“USDA”) enforces the Animal Welfare Act  
7 (“AWA”) through a licensing and inspection regime. Attached as **Exhibit 1** is a true and correct  
8 copy of USDA’s “Official Notice of 21 Day Suspension of License 31-C-0221,” issued to Robert  
9 Sawmiller, based on willful violations of the AWA.

10 3. Attached as **Exhibit 2** is a true and correct copy of USDA’s April 3, 2017 report  
11 associated with its inspection of Olympic Game Farm (“OGF”) for compliance with the AWA.

12 4. Attached as **Exhibit 3** is a true and correct copy of USDA’s April 23, 2015  
13 inspection report for OGF.

14 5. Attached as **Exhibit 4** is a true and correct copy of an August 2010 email  
15 exchange between Robert Beebe and a visitor to OGF named Latisha Gibson. OGF produced this  
16 email exchange in discovery in this case.

17 6. Attached as **Exhibit 5** is a true and correct copy of a USDA “Record of  
18 Acquisition, Disposition or Transport of Animals” form that OGF produced in this litigation. The  
19 USDA form show OGF receiving one “African lion” and one “Tiger” from Animals of Montana,  
20 Inc., with Troy Hyde identified as the transport driver.

21 7. Attached as **Exhibit 6** is a true and correct copy of OGF’s “Profit & Loss” sheet  
22 from January 2015 through December 2019. OGF produced this business record in this litigation.

23 8. Attached as **Exhibit 7** is a true and correct copy of a Gross Pathology Report for  
24 OGF’s arctic fox Tundra, which Sequim Animal Hospital (SAH) produced to ALDF in response  
25 to a subpoena.  
26  
27  
28

1           9.       Attached as **Exhibit 8** is a true and correct copy of an internal Washington  
2 Department of Fish & Wildlife email we obtained from a public records request.

3           10.      On September 27, 2018, I sent by email and caused to be sent by certified U.S.  
4 mail a 60-day notice of intent to sue letter to Defendants Olympic Game Farm, Inc. and Robert,  
5 James, and Kenneth Beebe, as well as to the Secretary of Interior and the Director of the U.S.  
6 Fish and Wildlife Service. A true and correct copy of that notice letter is attached as **Exhibit 9**.

7           11.      Attached as **Exhibit 10** is a true and correct excerpt of Defendants' May 20, 2019  
8 Objections and Responses to Plaintiff's First Set of Interrogatories in this matter.

9           12.      Attached as **Exhibit 11** is a true and correct copy of a SAH Patient History Report  
10 for OGF's tiger Amadeus, which SAH produced to ALDF in response to a subpoena.

11           13.      Attached as **Exhibit 12** is a true and correct copy of OGF's handwritten record of  
12 Amadeus's seizures. OGF produced this document in discovery in this case.

13           14.      Attached as **Exhibit 13** is a true and correct copy of USDA's August 3, 2004  
14 inspection report for OGF.

15           15.      Attached as **Exhibit 14** is a true and correct copy of every page of OGF's animal  
16 care log book that OGF produced in discovery in this case. We have compiled the pages, which  
17 we received over several supplemental discovery productions, in chronological order omitting  
18 duplicative pages.

19           16.      Attached as **Exhibit 15** is a true and correct copy of a SAH Patient History Report  
20 for OGF's tiger Zar (aka Tzar or Czar), which SAH produced to ALDF in response to a  
21 subpoena.

22           17.      Attached as **Exhibit 16** is a true and correct copy of a SAH Patient History Report  
23 for OGF's tiger Tigger (aka Tiggers), which SAH produced to ALDF in response to a subpoena.

24           18.      Attached as **Exhibit 17** is a true and correct copy of a SAH Patient History Report  
25 for OGF's tiger Tigger (aka Tiggers), which OGF produced to ALDF in discovery.

1           19. Attached as **Exhibit 18** is a true and correct copy of the Gross Pathology Report  
2 that Washington Animal Disease Diagnostic Laboratory (WADDL) authored for OGF's tiger  
3 Tiggers, which OGF produced to ALDF in discovery.

4           20. Attached as **Exhibit 19** is a true and correct copy of the Histopathology Report  
5 that WADDL authored for OGF's tiger Tiggers, which OGF produced to ALDF in discovery.

6           21. Attached as **Exhibit 20** is a true and correct copy of a SAH Patient History Report  
7 for OGF's tiger Sher-Khan (aka Shurcon), which SAH produced to ALDF in response to a  
8 subpoena.

9           22. Attached as **Exhibit 21** is a true and correct copy of the only non-blank  
10 Medication Record for OGF's tiger Shurcon that OGF produced to ALDF in discovery.

11           23. Attached as **Exhibit 22** is a true and correct copy of a supplemental SAH Patient  
12 History Report for OGF's tiger Sher-Khan (aka Shurcon), which OGF produced to ALDF in  
13 discovery.

14           24. Attached as **Exhibit 23** is a true and correct copy of Dr. Heather Short's  
15 Stipulation to Informal Disposition of a malpractice allegation made by the Washington State  
16 Veterinary Board of Governors, obtained from the Washington Department of Health's website.

17           25. On March 25, 2021, I took a screenshot of a Google Maps of the coast of Alaska,  
18 showing both Kodiak Island and the ABC Islands. A true and correct copy of that Google Maps  
19 screenshot is attached as **Exhibit 24**.

20           26. On or around November 26, 2019, OGF produced a second set of supplemental  
21 responses to ALDF's first set of interrogatories. A true and correct copy of those responses are  
22 attached as **Exhibit 25**.

23           27. Attached as **Exhibit 26** are true and correct excerpts of OGF's expert Dr. Michael  
24 Briggs's supplemental rebuttal report and its exhibit B which are photos taken at OGF in August  
25 2020.

1           28. Attached as **Exhibit 27** is a true and correct copy of a SAH Patient History Report  
2 for OGF's brown bear Good Mama (aka Good Momma), which SAH produced to ALDF in  
3 response to a subpoena.

4           29. Attached as **Exhibit 28** is a true and correct copy of the Gross Pathology Report  
5 that WADDL authored for OGF's brown bear Good Mama (aka Good Momma), which SAH  
6 produced to ALDF in response to a subpoena.

7           30. Attached as **Exhibit 29** is a true and correct copy of a SAH Patient History Report  
8 for OGF's brown bear Samantha, which SAH produced to ALDF in response to a subpoena.

9           31. Attached as **Exhibit 30** is a true and correct copy of the entire Medication Record  
10 for OGF's brown bear Samantha that OGF produced to ALDF in discovery.

11           32. Attached as **Exhibit 31** is a true and correct copy of a supplemental SAH Patient  
12 History Report for OGF's brown bear Samantha, which OGF produced to ALDF in discovery.

13           33. Attached as **Exhibit 32** is a true and correct copy of hardcopy SAH records for  
14 OGF's brown bear Samantha, which OGF produced to ALDF in discovery.

15           34. Attached as **Exhibit 33** is a true and correct copy of a SAH Patient History Report  
16 for OGF's brown bear Marsha, which SAH produced to ALDF in response to a subpoena.

17           35. Attached as **Exhibit 34** is a true and correct copy of a SAH Patient History Report  
18 for OGF's brown bears including Connie, which SAH produced to ALDF in response to a  
19 subpoena.

20           36. Attached as **Exhibit 35** is a true and correct copy of a SAH Patient History Report  
21 for OGF's brown bear Connie, which OGF produced to ALDF in discovery.

22           37. Attached as **Exhibit 36** is a true and correct copy of the entire Medication Record  
23 for OGF's brown bear Connie that OGF produced to ALDF in discovery.

24           38. Attached as **Exhibit 37** is a true and correct copy of the complete Medication  
25 Record for OGF's brown bear Marsha for calendar years 2019 through 2020 that OGF produced  
26 to ALDF in discovery.

39. Attached as **Exhibit 38** is a true and correct copy of USDA's June 25, 2014 inspection report for OGF.

40. Attached as **Exhibit 39** is a true and correct copy of all SAH Patient History Reports produced to ALDF for OGF's brown bear Lillie in response to ALDF's two subpoena's to SAH and ALDF's discovery requests to Defendants.

41. Attached as **Exhibit 40** are true and correct copies of records associated with the wolf "LB" or "Elbey" produced by OGF in this case. The records include a USDA animal transfer form and an agreement between OGF and Bob Sawmiller to "loan for breeding purposes" the wolf.

42. Attached as **Exhibit 41** are true and correct copies of two screenshots taken from OGF's website. On the first page depicts a screenshot from an internet archive program called the "Wayback Machine," which identifies what the OGF website looked like on July 1, 2017. The resulting screenshot shows the website identifying "Timberwolf" as part of "animals we have at the Olympic Game Farm." On the second page of the exhibit, a screenshot of the website from March 15, 2019 says, "ANIMALS AT OUR FARM INCLUDE: . . . TIMBERWOLF."

43. Attached as **Exhibit 42** is a true and correct copy of excerpts of the book cited as Lloyd Beebe, WILDERNESS TRAILS AND A DREAM: THE STORY BEHIND THE OLYMPIC GAME FARM (3d ed. 2005).

44. Attached as **Exhibit 43** is a true and correct copy of handwritten records showing animal births at OGF during the years 2014-2018, and 2020. These records were produced by OGF in this case.

45. On April 25, 2013, the Washington Department of Fish and Wildlife ("DFW") facilitated a transfer of Sika deer to OGF. True and correct copies of records associated with that transfer, including a USDA transfer form and a DFW letter authorizing the transfer with specific conditions, are attached as **Exhibit 44**.

46. Attached as **Exhibit 45** is a true and correct copy of an April 26, 2013 email from DFW veterinarian to other DFW employees related to the transfer of Sika deer to OGF.

47. Attached as **Exhibit 46** is a true and correct copy of USDA's April 1, 2013 inspection report for OGF. The inspection report includes the number and species of animals living at OGF at the time.

48. Attached as **Exhibit 47** is a true and correct copy of a June 3, 2015 Facebook post from OGF's company Facebook account. The post depicts a photograph of an adult and baby deer, with the caption "Baby Sika 2 days old."

49. ALDF describes its organizational mission in the "About Us" webpage on its website. See <https://aldf.org/about-us/> (last visited Mar. 24, 2021). Its mission is "to protect the lives and advance the interests of animals through the legal system." *Id.*

EXECUTED this 25th day of March 2021

/s/Daniel Waltz

Daniel Waltz, WSBA 45708